



**PUBLIC NOTICE** is hereby given that the County Council of Cache County, Utah will hold a **WORKSHOP** at **2:00 p.m.** and a **REGULAR COUNCIL MEETING** at **5:00 p.m.** in the Cache County Historic Courthouse Council Chambers, 199 North Main Street, Logan, Utah 84321, **TUESDAY, SEPTEMBER 27, 2022**

Council meetings are live streamed on the Cache County YouTube channel at:  
<https://www.youtube.com/channel/UCa4xvEI8bnIEz3B9zw2teaA>

## AMENDED AGENDA

### WORKSHOP

- 2:00 p.m.
1. CALL TO ORDER
  2. BUDGET PRESENTATION – Sheriff’s Office
  3. BUDGET PRESENTATION – Public Works
  4. BUDGET PRESENTATION – Development Services
  5. ADJOURN

### COUNCIL MEETING

- 5:00 p.m.
1. CALL TO ORDER
  2. OPENING – Councilwoman Gina Worthen
  3. REVIEW AND APPROVAL OF AGENDA
  4. REVIEW AND APPROVAL OF MINUTES (September 13, 2022)
  5. REPORT OF COUNTY EXECUTIVE
    - a. **Appointments:** Cache County Assessor
    - b. **Financial Reports:** August 2022 Financial Statement
    - c. **Other Items:**
  6. ITEMS OF SPECIAL INTEREST
    - a. Bear River Mental Health Area Plan – Beth Smith, Director
    - b. Request for Approval of County Economic Development Advisory Board’s Recommendations – Shawn Milne
  7. DEPARTMENT OR COMMITTEE REPORTS
    - a. Cache County Library – Brynna Sainsbury, Director
    - b. Cache County Fire District – Chief Rod Hammer
  8. BOARD OF EQUALIZATION MATTERS
  9. PUBLIC HEARINGS
    - a. **Set Public Hearing for October 11, 2022 at 6:00 p.m. – Resolution 2022-27**  
**Opening the 2022 Cache County Budget**
    - b. **Public Hearing – Ordinance 2022-29 – Smithfield Country Estates Rezone**  
Request to rezone 16.5 acres from Agricultural (A10) Zone to the Rural 2 (RU2) Zone, located at approximately 5400 North 1200 West, near Smithfield
    - c. **Public Hearing – Ordinance 2022-31 – Recreational Use**  
Amending Title 17 – Use Type 4100 – ‘Recreational Facility,’ ‘Campground’ Definition as a New Use Type and the Schedule of Uses by Zoning District in Section 17.09.030
- 5:30 p.m.  
(Estimated)

- 6:00 p.m. d. **Public Hearing – Open Space Bond Ballot Proposition**  
e. **Public Hearing – RAPZ Tax Ballot Proposition**  
f. **Public Hearing – Ordinance 2022-32**  
An Ordinance making a Cost of Living Adjustment to the Salaries of the Cache County Elected Officers and Members of the Cache County Council

10. **PENDING ACTION**

- a. **Ordinance 2022-26** An ordinance amending County Code Chapter 2.70 Agriculture Protection Area Advisory Board  
b. **Resolution 2022-25** A resolution establishing the creation of an Agricultural Advisory Committee  
c. **Ordinance 2022-30** **Amending Title 17 – Use Type 5810 – Private Airport**  
An ordinance amending the County Land Use Code as required by the adoption Ordinance 2022-30 amending the definition and requirements applicable to Use Related Definition 5810 Private Airport

11. **INITIAL PROPOSALS FOR CONSIDERATION OF ACTION**

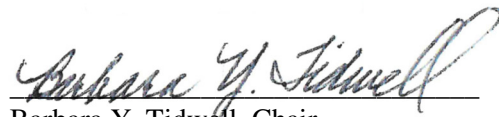
- a. **Ordinance 2022-31** **Amendments to Title 17, Use Type 4100 – Recreational Facility, Campground Definition and Schedule of Zoning Uses by Zoning District**  
An ordinance amending the County Land Use Code as required by the adoption of Ordinance 2022-31 amending the definition and requirements applicable to Use-Related Definition 4100 Recreational Facility, Campground Definition and Schedule of Zoning Uses by Zoning District  
b. **Ordinance 2022-32** An ordinance making a Cost of Living Adjustment to the Salaries of the Cache County elected officers and members of the Cache County Council  
c. **Ordinance 2022-33** An ordinance updating Cache County Code 8.12  
d. Discussion on an ordinance amending County Code Chapter 3.04.090  
e. Discussion on Support of Non-profit Organizations  
f. Decision on Truth in Taxation Notice  
g. Discussion on County’s Election for Secure Rural School Funding – Dirk Anderson  
h. Discussion on County Council Policy Analyst

12. **OTHER BUSINESS**

- a. **Cache Cheese & Dairy Festival** *Thursday, September 29 – Saturday, October 1, 2022*  
b. **USU Homecoming Parade** *Saturday, October 8th at 10:00 a.m.*  
*Barbara, Paul, Gina, Karl David Z.*  
c. **UAC Annual Conference** *November 15-17, 2022 in St. George*  
*Barbara, Nolan, Gina, David E., Karl, Gordon, Paul*  
*Mark Hurd, Sandi Goodlander, David Z.*

13. **COUNCIL MEMBER REPORTS**

14. **ADJOURN**

  
Barbara Y. Tidwell, Chair

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Janeen Allen at 435-755-1850 at least three working days prior to the meeting.



**CACHE COUNTY  
ORDINANCE NO. 2022-26**

**AN ORDINANCE AMENDING COUNTY CODE CHAPTER 2.70  
AGRICULTURE PROTECTION AREA ADVISORY BOARD**

WHEREAS, the State of Utah has authorized Cache County to adopt an agricultural protection area ordinance; and

WHEREAS, the Cache County Council finds that it is in the best interest of the residents of Cache County to provide property owners the ability to continue to use their lands for agriculture purposes; and

WHEREAS, the Cache County Council has previously found that it is in the best interest of the residents of Cache County to establish an Agriculture Protection Area Advisory Board as provided under Title 17, Chapter 41, Utah Code Annotated, 1953, as amended, and passed Ordinance 96-06 and Ordinance 2009-11, creating acreage requirements, fee schedules, and other procedures regarding review and consideration of proposals to create agriculture protection areas; and

WHEREAS, Title 17, Chapter 41, Utah Code Annotated, 1953, as amended, has been amended since Cache County adopted Ordinance 2009-11 setting forth the requirements and processes related to an Agriculture Protection Area advisory board;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

**SECTION 1: CODE AMENDMENTS**

Chapter 2.70 of the Cache County Code, titled AGRICULTURE PROTECTION AREA ADVISORY BOARD, is amended to read in full as follows:

**2.70.010: ESTABLISHED:**

An agriculture protection area advisory board has been previously established by resolution 95-32 and Ordinance 2009-11 of the Cache County Council pursuant to Utah Code Annotated section 17-41-201 to perform the duties set out therein or any later amendment or enactment of that section and as provided by County ordinance.

**2.70.020: PURPOSES AND DUTIES:**

The advisory board shall:



- A. Evaluate proposals for the establishment of agriculture protection areas and make recommendations to the County Council about whether the proposal should be accepted;
- B. Provide expert advice to the Planning Commission and to the County Council about:
  - 1. the desirability of the proposal;
  - 2. the nature of agricultural production within the proposed area;
  - 3. the relation of agricultural production in the area to the county as a whole; and
  - 4. which agriculture production should be allowed within the relevant protection area; and
- C. perform the other duties required under title 17, chapter 41, Utah Code Annotated, 1953, as amended.

**2.70.030: OFFICERS:**

The County Council shall appoint five members from the county's conservation district board of supervisors to serve as the agriculture protection area advisory board. The members of the agriculture protection area advisory board shall select a chair, vice chair and secretary. The chair and vice chair shall be selected from among the members of the agriculture protection area advisory board. The secretary may be either a member of the advisory board or contracted.

**2.70.040: QUORUM AND RULES OF OPERATION:**

Any three (3) members of the agriculture protection area advisory board shall constitute a quorum of that board. Any actions of the agriculture protection area advisory board must be approved by at least three (3) members of that board. All meetings shall be conducted in accordance with the Utah open and public meetings act. The agriculture protection area advisory board may adopt such additional rules of operation as it deems necessary to govern its affairs.

**2.70.050: PROPOSAL AND APPROVAL OF AGRICULTURE PROTECTION AREA:**



- A. Filing Procedure: Any owner or owners of land in agricultural production may file a proposal for creation of an agriculture protection area with the Cache County Council by completing forms approved by the Cache County Council and filing the forms in the Office of Development Services. The Office of Development Services or other person(s) designated by the County Council to receive and process proposals shall accept and process such forms only if they are properly completed and accompanied by the filing fee as provided in this section. The proposal shall contain the following information:
1. The boundaries of the land in agricultural production that the proposal sponsors wish to become part of an agriculture protection area;
  2. Any limits on the type of agriculture production to be allowed within the agriculture protection area; and
  3. For each parcel of land:
    - a. The owners of the land contained within the parcel;
    - b. The tax parcel number or account number of each parcel; and
    - c. The number or account number of acres as listed on the parcel tax records.
  4. The proposal shall be signed by the majority in number of all owners of real property and the owners of a majority of the land area in agricultural production within the proposed protection area.
- B. Notice Requirements: The Office of Development Services shall provide notice of the proposal for an agriculture protection area as required by title 17, chapter 41, Utah Code Annotated, 1953, as amended.
- C. Review Of Proposal:
1. After fifteen (15) days from the date of the notice, the Office of Development Services shall refer the proposal, and any proposed modifications and objections to the proposal, to the advisory board and Planning Commission for their review, comment and recommendations.
  2. Within forty five (45) days after receipt of the proposal, the advisory board and Planning Commission shall each submit a report to the Cache County Council relative to their review, comments and recommendations as provided in title 17, chapter 41, Utah Code Annotated, 1953, as amended. The County Council shall consider a failure of the Planning Commission or advisory board



to submit a written report within 45 days as a recommendation to approve the proposal as submitted.

3. After receipt of the reports from the advisory board and Planning Commission, or after forty five (45) days have expired, whichever is earlier, the Cache County Council shall schedule a public hearing and provide notice of the same, conduct a public hearing, and within 120 days of the submission of the proposal, approve, modify and approve, or reject the proposal as required by title 17, chapter 41, Utah Code Annotated, 1953, as amended.
- D. Minimum Size For Agriculture Protection Area: At least five (5) continuous acres within Cache County must be included in each agriculture protection area.
- E. Fees For Accepting And Processing Agriculture Protection Area Proposals: Any person or persons filing a proposal to create an agriculture protection area pursuant to title 17, chapter 41, Utah Code Annotated, 1953, as amended, shall pay a fee at the time of filing. See Consolidated Fee Schedule for fee amount. This fee includes all costs associated with processing agriculture protection area proposals.
- F. Adding Land To An Agriculture Protection Area:
1. Any owner of land may add land to an existing agriculture protection area by:
    - a. Filing a proposal with the Office of Development Services; and
    - b. Obtaining approval of the Cache County Council for the addition of the land to the area.
  2. The Cache County Council shall comply with the provisions for creating an agriculture protection area in determining whether or not to accept the proposal.
- G. Removing Land From An Agriculture Protection Area:
1. Any owner may remove land from an agriculture protection area by filing a petition for removal of the land from the agriculture protection area with the County Council. No fee shall be charged for a petition to remove land from the protection area.
  2. The Cache County Council shall:
    - a. Grant the petition for removal of land from an agriculture protection area even if removal of the land would result in an agriculture protection area



of less than the number of acres established by the Cache County Council as the minimum under this section; and

- b. In order to give constructive notice of the removal to all persons who have acquired or who may acquire an interest in land in or adjacent to the agriculture protection area and the land removed from the agriculture protection area, file a legal description of the revised agriculture protection area with the Cache County Recorder and the Planning Commission.
3. The remaining land in the agriculture protection area is still an agriculture protection area.
4. When a municipality annexes any land that is part of an agriculture protection area, the Cache County Council shall, within thirty (30) days after the land is annexed, review the feasibility of that land remaining in the agriculture protection area according to the procedures and requirements of title 17, chapter 41, Utah Code Annotated, 1953, as amended. The Cache County Council shall remove the annexed land from the protection area if it deems removal appropriate and if the owners of all the annexed land that is within the protection area consent in writing to removal.

#### H. Review Of Agriculture Protection Area:

1. The County Council shall review any agriculture protection area created under the authorization of this chapter in the twentieth calendar year after it is created.
2. In the twentieth calendar year, the Cache County Council shall:
  - a. Request the Planning Commission and advisory board to submit recommendations about whether the agriculture protection area should be continued, modified, or terminated;
  - b. At least one hundred twenty (120) days before the end of the calendar year hold a public hearing to discuss whether the agriculture protection area should be continued, modified, or terminated;
  - c. Give notice of the hearing using the same procedures for any notice employed to establish an agriculture protection area; and
  - d. After the public hearing, continue, modify, or terminate the agriculture protection area.



- 3. If the Cache County Council modifies or terminates the agriculture protection area, it shall file an executed document containing the legal description of the agriculture protection area with the Cache County Recorder.
- 4. If the Cache County Council does not affirmatively continue, modify, or terminate the agriculture protection area in the twentieth calendar year, the agriculture protection area is considered to be reauthorized for another twenty (20) years.

**SECTION 2: REPEALER**

The provisions of all prior ordinances or resolutions, or any parts thereof, in conflict with the above Cache County Code amendments are hereby repealed and superseded to the extent of such conflict. Otherwise such resolutions and ordinances remain in full force and effect.

**SECTION 3: EFFECTIVE DATE**

This ordinance takes effect 15 days following its passage and approval by the County Council.

PASSED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS 13<sup>th</sup> DAY OF SEPTEMBER 2022.

	In Favor	Against	Abstained	Absent
Paul R. Borup				
David Erickson				
Nolan P. Gunnell				
Barbara Tidwell				
Karl Ward				
Gina Worthen				
Gordon Zilles				

Total

CACHE COUNTY COUNCIL

\_\_\_\_\_  
Barbara Tidwell, Chair

ATTEST:

\_\_\_\_\_  
Jess Bradfield, County Clerk



**Cache County**  
**ORDINANCE No. 2022 -26**  
**Substitute 1 changes in blue**

**An Ordinance Amending County Code Chapter 2.70 AGRICULTURE PROTECTION AREA ADVISORY BOARD**

WHEREAS, the State of Utah has authorized Cache County to adopt an agricultural protection area ordinance; and

WHEREAS, the Cache County Council finds that it is in the best interest of the residents of Cache County to provide property owners the ability to continue to use their land for agriculture purposes; and

WHEREAS, the Cache County Council has previously found that it is in the best interest of the residents of Cache County to establish an Agriculture Protection Area Advisory Board as provided under Title 17, Chapter 41, Utah Code Annotated, 1953 as amended, and passed Ordinance 96-06 and Ordinance 2009-11, creating acreage requirements, fee schedules, and other procedures regarding review and consideration of proposals to create agriculture protection areas, and

WHEREAS, Title 17, Chapter 41, Utah Code Annotated, 1953 as amended, has been amended since Cache County adopted Ordinance 2009-11 setting forth the requirements and processes related to an Agriculture Protection Area advisory board; and

NOW, THEREFORE, BE IT ORDAINED by the Cache County Council that Chapter 2.70 AGRICULTURE PROTECTION AREA ADVISORY BOARD of the Cache County Code is hereby amended and superseded as follows: the County Legislative Body of Cache County ordains as follows:

**SECTION 1: CODE AMENDMENTS**

Chapter 2.70 of the Cache County Code, titled AGRICULTURE PROTECTION AREA ADVISORY BOARD, is amended to read in full as follows:

**2.70.010: ESTABLISHED:**

An agriculture protection area advisory board has been previously established by resolution 95-32 and Ordinance 2009-11 of the Cache County Council pursuant to Utah Code Annotated section 17-41-201 to perform the duties set out therein or any later amendment or enactment of that section and as provided by County ordinance. the above mentioned resolution. Resolution 95-32 is hereby incorporated and attached as exhibit A to the ordinance codified herein. (Ord. 2009-11, 11-24-2009, eff. 12-9-2009)

**2.70.020: PURPOSES AND DUTIES:**

The advisory board shall:

A. Evaluate proposals for the establishment of agriculture protection areas and make recommendations to the County Council about whether the proposal should be accepted;

B. Provide expert advice to the Planning Commission and to the applicable legislative body County Council about:

1. the desirability of the proposal;

2. the nature of agricultural production within the proposed area;

3. the relation of agricultural production in the area to the county as a whole; and

4. which agriculture production should be allowed within the relevant protection area; and

C. perform the other duties required under title 17, chapter 41, Utah Code Annotated, 1953 as amended. ~~17-41-~~{17-41-201(3)}

## **2.70.02030: OFFICERS:**

The County Council shall appoint five members from the county's conservation district boards to serve as the agriculture protection area advisory board of supervisors. {17-41-201(1)(a)(i)} The members of the agriculture protection area advisory board shall select a chair~~man~~, vice chair~~man~~ and secretary. The chair~~man~~ and vice chair~~man~~ shall be selected from among the members of the agriculture protection area advisory board. The secretary may be either a member of the advisory board or ~~a Cache County employee. contracted. The selection of a Cache County employee to serve as secretary must be approved and appointed by the Cache County executive with the advice and consent of the county council of Cache County, Utah. (Ord. 2009-11, 11-24-2009, eff. 12-9-2009)~~

## **2.70.03040: QUORUM AND RULES OF OPERATION:**

Any three (3) members of the agriculture protection area advisory board shall constitute a quorum of that board. Any actions of the agriculture protection area advisory board must be approved by at least three (3) members of that board. All meetings shall be conducted in accordance with the Utah open and public meetings act. The agriculture protection area advisory board may adopt such additional rules of operation as it deems necessary to govern its affairs. (~~Ord. 2009-11, 11-24-2009, eff. 12-9-2009~~)

## **2.70.04050: PROPOSAL AND APPROVAL OF AGRICULTURE PROTECTION AREA:**

**A. Filing Procedure:** Any owner or owners of land in agricultural production may file a proposal for creation of an agriculture protection area with the ~~county executive~~ Cache County Council [17-41-301(1)(a)(i)] by completing forms approved by the ~~county executive~~ Cache County Council [17-41-301(4)(a)] and filing the forms in the ~~Office of the county executive~~ Development Services. The ~~county executive~~ Office of Development Services or other person(s) designated by the ~~County executive~~ Council to receive and process proposals shall accept and process such forms only if they are properly completed and accompanied by the filing fee as provided in this section. The proposal shall contain the following information:

1. The boundaries of the land in agricultural production that the proposal sponsors wish to become part of an agriculture protection area;
2. Any limits on the type of agriculture production to be allowed within the agriculture protection area; and
3. For each parcel of land:
  - a. The owners of the land contained within the parcel;
  - b. The tax parcel number or account number of each parcel; and
  - c. The number or account number of acres as listed on the parcel tax records.

4. The proposal shall be signed by the majority in number of all owners of real property and the owners of a majority of the land area in agricultural production within the proposed protection area. {17-41-301(1)(c)}

**B. Notice Requirements:** The Office of Development Services ~~county executive~~ shall provide notice of the proposal for an agriculture protection area as required by title 17, chapter 41, Utah Code Annotated, 1953, as amended. {17-41-302(1)}

**C. Review Of Proposal:**

1. After fifteen (15) days from the date of the notice, the Office of Development Services ~~county executive~~ shall refer the proposal, and any proposed modifications and objections to the proposal, to the advisory board and Planning Commission for their review, comment and recommendations.
2. Within forty five (45) days after receipt of the proposal, the advisory board and Planning Commission shall each submit a report to the Cache County Council relative to their review, comments and recommendations as provided in title 17, chapter 41, Utah Code Annotated, 1953, as amended. The County Council shall consider a failure of the planning commission or advisory board to submit a written report within 45 days as a recommendation to approve the proposal as submitted. {17-41-303(c)}
3. After receipt of the reports from the advisory board and Planning Commission, or after forty five (45) days have expired, whichever is earlier, the Cache County Council shall schedule a public hearing and provide notice of the same, conduct a public hearing, and act within 120 days of the submission of the proposal, approve, modify and approve, or reject the proposal on the same as required by title 17, chapter 41, Utah Code Annotated, 1953, as amended. {17-41-304(3)(a)}

**D. Minimum Size For Agriculture Protection Area:** At least five (5) continuous acres within Cache County must be included in each agriculture protection area.

**E. Fees For Accepting And Processing Agriculture Protection Area Proposals:** Any person or persons filing a proposal to create an agriculture protection area pursuant to title 17, chapter 41, Utah Code Annotated, 1953, as amended, shall pay a fee at the time of filing. See Consolidated Fee Schedule for fee amount. This fee includes all costs associated with processing agriculture protection area proposals. {17-41-304(7)}

**F. Adding Land To An Agriculture Protection Area:**

1. Any owner of land may add land to an existing agriculture protection area by:
  - a. Filing a proposal with the ~~county executive~~ Office of Development Services ; and {17-41-306(1)(a)}
  - b. Obtaining approval of the Cache County Council for the addition of the land to the area.
2. The Cache County Council shall comply with the provisions for creating an agriculture protection area in determining whether or not to accept the proposal.

**G. Removing Land From An Agriculture Protection Area:**

1. Any owner may remove land from an agriculture protection area by filing a petition for removal of the land from the agriculture protection area with the County ~~executive~~ Council. No fee shall be charged for a petition to remove land from the protection area. {17-41-306(2)(a) & (b)(i)(B)}
2. The Cache County Council shall:
  - a. Grant the petition for removal of land from an agriculture protection area even if removal of the land would result in an agriculture protection area of less than the number of acres established by the Cache County Council as the minimum under this section; and
  - b. In order to give constructive notice of the removal to all persons who have acquired or who may acquire an interest in land in or adjacent to the agriculture protection area and the land removed from

the agriculture protection area, file a legal description of the revised agriculture protection area with the Cache County Recorder and the Planning Commission.

3. The remaining land in the agriculture protection area is still an agriculture protection area.
4. When a municipality annexes any land that is part of an agriculture protection area, the Cache County Council shall, within thirty (30) days after the land is annexed, review the feasibility of that land remaining in the agriculture protection area according to the procedures and requirements of title 17, chapter 41, Utah Code Annotated, 1953, as amended. ~~If appropriate, the Cache County Council shall remove the annexed land from the agriculture protection area and the owners of all the annexed land that is within the protection area consent in writing to the removal. The Cache County Council shall remove the annexed land from the protection area if it deems removal appropriate and if the owners of all the annexed land that is within the protection area consent in writing to removal.~~ {17-41-306(3)( b)(i) and(ii)}

#### **H. Review Of Agriculture Protection Area:**

1. The County Council shall review any agriculture protection area created under the authorization of this chapter in the twentieth calendar year after it is created.
2. In the twentieth calendar year, the Cache County Council shall:
  - a. Request the Planning Commission and advisory board to submit recommendations about whether the agriculture protection area should be continued, modified, or terminated;
  - b. At least one hundred twenty (120) days before the end of the calendar year hold a public hearing to discuss whether the agriculture protection area should be continued, modified, or terminated;
  - c. Give notice of the hearing using the same procedures for any notice employed to establish an agriculture protection area; and
  - d. After the public hearing, continue, modify, or terminate the agriculture protection area.
3. If the Cache County Council modifies or terminates the agriculture protection area, it shall file an executed document containing the legal description of the agriculture protection area with the Cache County Recorder.
4. If the Cache County Council does not affirmatively continue, modify, or terminate the agriculture protection area in the twentieth calendar year, the agriculture protection area is considered to be reauthorized for another twenty (20) years. (~~Ord. 2009-11, 11-24-2009, eff. 12-9-2009; amd. Ord. 2021-22, 12-14-2021, eff. 1-1-2022~~)

#### **SECTION 2: REPEALER**

The provisions of all prior ordinances or resolutions, or any parts thereof, in conflict with the above Cache County Code amendments are hereby repealed and superseded to the extent of such conflict. Otherwise such resolutions and ordinances remain in full force and effect.

#### **SECTION 3: EFFECTIVE DATE**

This ordinance takes effect 15 days following its passage and approval by the County Council.

**CACHE COUNTY  
RESOLUTION NO. 2022-25  
A RESOLUTION ESTABLISHING THE CREATION OF A COUNTY COUNCIL AGRICULTURAL  
ADVISORY COMMITTEE**

WHEREAS, the Cache County Council recognizes agriculture as a major contributor to the local economy and the high quality of life for Cache County citizens; and

WHEREAS, the General Plan contains goals and policies that direct the County to conserve and enhance Cache County's agricultural land base, and to maintain and enhance Cache County's agricultural products industry as a long-term sustainable industry, and

WHEREAS, many Council decisions can affect agricultural production and viability; and

WHEREAS, the Council is the governing body of Cache County with all legislative and policy determining powers (County Code 2.12.20 and 2.12.120 );

WHEREAS, the Council has the power to establish and define the duties and functions of appointed boards and commissions deemed appropriate to expedite and facilitate the duties of the Council (County Code 2.12.120 H);

WHEREAS, the Council desires the input of agricultural producers on land use proposals, land use policies, economic strategies and policies and other county, regional, state and/or federal programs that directly or indirectly affect agriculture in Cache County; and

WHEREAS, the Council desires agriculture to continue and supports the establishment of both public and private efforts to that end;

THEREFORE, the Cache County Council hereby adopts the following resolution:

BE IT RESOLVED that:

**Section 1: Establishment of County Council Agricultural Advisory Committee**

There is hereby established the Cache County Council Agricultural Advisory Committee. This resolution repeals Resolution No. 2002-07.

**Section 2: Purpose**

The Agricultural Advisory Committee provides review and recommendations to the Cache County Council on issues that affect agriculture. The Committee also provides a forum for farmers and others interested in enhancing and promoting the long-term viability of Cache County agriculture.

**Section 3: Function**

The function of the Committee is to report directly to and advise the County Council, and any appropriate boards or commissions as directed by the Council, in order to review, analyze and make recommendations on criteria, plans, policies, or programs regarding:

1. Any legislation that affects agriculture;
2. Land uses that impact agriculture;
3. Ways to preserve and enhance agriculture in Cache County;
4. Any other agricultural issues as requested by the Cache County Council.

#### **Section 4: Membership - Term of office**

A. The Committee shall be composed of nine voting members consisting of:

1. Two representatives of livestock producers;
2. One grower of crops;
3. One producer of locally grown products for local consumption;
4. One representative of the local agricultural processing industry;
5. One representative of agricultural supplies, equipment, or non-financial services;
6. One representative of a local agricultural financial services company;
7. Two agricultural producers representing a diversity of various agricultural commodities produced in Cache County.

B. The Committee may have up to five non-voting members to assist and advise voting members of the committee.

C. The Committee may call upon others, including representatives of the following organizations, to advise and assist, if desired. Such representatives are not members of the Committee, unless appointed by the Cache County Council. Those who may have expertise helpful to the committee include: USU Extension; USDA Natural Resource Conservation Service (NRCS); USDA Farm Service Agency; Cache Chamber of Commerce; Cache County Development Services Office; Cache Metropolitan Planning Organization (CMPO); Bear River Association of Governments; Western Rural Development Center (USU); Cache Gardner's Market; Cache Farm Bureau; Cache Water District; Cache County Cattlemen's Association; Utah Farmer's Union; Utah Department of Agriculture; Utah Wildlife Resources; U.S. Forest Service; economic development advisors.

D. The Cache County Council shall appoint the members of the Committee.

E. The term of office for voting members shall be three years. The County Council shall set the term of office for non-voting members. Voting and non-voting members may be reappointed.

F. Vacancies created by resignation, death, removal, or otherwise, shall be filled for the unexpired duration of the term by the Council in the same manner as the original appointment.

G. The Council may remove any member for misconduct or neglect of duty.

#### **Section 5: Organization - Meetings**

A. The Committee shall determine its own meeting schedule, but shall meet at least quarterly.

B. Meetings shall comply with all requirements of state law, including, but not limited to, the state open and public meetings act.

C. Records of all committee meetings shall be kept, managed, classified and disclosed as required by county ordinance and state law, including, but not limited to the government records access and management act. Findings, recommendations and minutes shall be forwarded to the Cache County Council.

D. A majority of voting members shall constitute a quorum.

E. Committee members may participate electronically or remotely by means that allow simultaneous audio and visual communication. A meeting shall have a physical anchor site where the Chair presides.

F. The first meeting shall be within 45 days of the committee members' appointment, and shall be arranged by a member of the County Council or their designee.

## **Section 6: Bylaws and Officers**

A. The Committee's rules and procedures shall follow the current edition of Roberts Rules of Order, Newly Revised, except, the Committee may adopt and amend, by majority vote, bylaws as needed.

B. The Committee shall elect a chair and vice chair from among its voting members. The chair shall preside at meetings, and shall have full rights to debate and vote on the committee. The term of office for the chair and vice chair shall be two years.

C. The secretary will publish notice of committee meetings, take minutes and maintain official records of the committee. The secretary is a staff position, and is not a member of the committee.

## **Section 7: Committee staffing**

A. The Council shall budget funds to provide for clerical duties.

B. The Committee is authorized to request information from administrative departments as necessary.

Action of the Cache County Council:

Date: \_\_\_\_\_

	In favor	Against	Abstained	Absent
Paul Borup				
David Erickson				
Nolan Gunnell				
Barbara Tidwell				
Karl Ward				
Gina Worthen				
Gordon Zilles				
Total				

Cache County Council:

Attest:

\_\_\_\_\_  
Barbara Tidwell, Chair

\_\_\_\_\_  
Jess Bradfield, County Clerk/Auditor



**Ordinance No. 2022-30**  
**Cache County, Utah**

**Amendments to Title 17, Use Type 5810 - Private Airport**

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An ordinance amending the County Land Use Code as required by the adoption of Ord. 2022-30 amending the definition and requirements applicable to Use Related Definition 5810 Private Airport.

**Whereas**, the “County Land Use Development and Management Act,” Utah Code Ann. §17-27a-101 et seq., as amended (the “Act”), provides that each county may enact a land use ordinance establishing regulations for land use and development; and

**Whereas**, pursuant to the Act, the County’s Planning Commission (the “Planning Commission”) shall prepare and recommend to the county’s legislative body, following a public hearing, a proposed land use ordinance, or amendments thereto, that represent the Planning Commission’s recommendations; and

**Whereas**, the Planning Commission caused notice of a public hearing for the rezone to be advertised at least ten (10) days before the date of the public hearing on the Utah Public Notice Website and on the Cache County website as required under County Code Section 17.02.070: Notice for Public Meetings; and

**Whereas**, on July 7, 2022, the Planning Commission held a public hearing, accepted all comments, and recommended the approval of the proposed amendments to the County Council for final action; and

**Whereas**, the Act also provides certain procedures for the county legislative body to adopt or reject amendments to the land use ordinance; and

**Whereas**, following proper notice, the County Council held a public hearing on September 13, 2022, to consider any comments regarding the proposed amendments. The County Council accepted all comments; and

**Now, therefore**, the County Legislative Body of Cache County ordains as follows:

**1. Statutory Authority**

The statutory authority for acting on this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3, and 17-53 part 2(1953, as amended to date).

**2. Amendment to Title 17.07.030 Use Related Definitions**

Amendments to Use Type 5810 Private Airport in section 17.07.030 Use Related Definitions, are to read as follows:

**5810 Private Airport:** Any area for the takeoff or landing of aircraft and that is not open to the public, including uses ~~that may be~~ appurtenant ~~and accessory~~ to said activity (e.g., runways, hangars, facilities for refueling and repair).

1. **Application:** The following are required at the time of land use application:
  - a. A copy of any and/or all FAA reviews, forms, and analyses regarding the airport location, activity, and design including:
    - i. The current FAA Form 7480-1, and;
    - ii. FAA response to the Form 7480-1 submission.
    - ~~iii. A copy of the airport master record.~~
  - b. A copy of the design criteria as per ~~the current~~ FAA Airport Design Advisory Circular AC 150/5300-13BA as applicable to the type of aircraft proposed to operate at the site. Said design criteria must be implemented at the site.
2. **Location** - The airport and the following must be located within the boundaries of property owned by the proponent, or that is within a recorded easement:
  - a. All appurtenant uses and structures; and
  - b. All zones and areas related to the land use and associated with the required design criteria as specified in the noted FAA Airport Design Advisory Circular in item 1b above.

~~Permitting is not required for temporary or intermittent airports as defined by the Federal Aviation Administration (FAA) under title 14 of the Code of Federal Regulations part 157 Notice of Construction, Alteration, Activation, and Deactivation of Airports.~~

### 3. Amends and Supersedes

This ordinance amends and supersedes Chapter 7 of Title 17 of the Cache County Code, and supersedes all other prior ordinances, resolutions, policies, and actions of the County Legislative Body of Cache County to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

### 4. Effect

The ordinance amendments will take effect no sooner than 15 days from the date of approval. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

**Approved and Adopted** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

	In Favor	Against	Abstained	Absent
Borup				
Erickson				
Gunnell				
Tidwell				
Ward				
Worthen				
Zilles				
Total				

Cache County Council:

Attest:

\_\_\_\_\_  
Barbara Tidwell, Chair  
Cache County Council

\_\_\_\_\_  
Jess Bradfield  
Cache County Clerk

Publication Date: \_\_\_\_\_, 2022

# Ordinance No. 2022-31

## Cache County, Utah

### Amendments to Title 17, Use Type 4100 – Recreational Facility, Campground Definition and Schedule of Zoning Uses by Zoning District

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An ordinance amending the County Land Use Code as required by the adoption of Ord. 2022-31 amending the definition and requirements applicable to Use Related Definition 4100 Recreational Facility, Campground Definition and Schedule of Zoning Uses by Zoning District.

**Whereas**, the “County Land Use Development and Management Act,” Utah Code Ann. §17-27a-101 et seq., as amended (the “Act”), provides that each county may enact a land use ordinance establishing regulations for land use and development; and

**Whereas**, pursuant to the Act, the County’s Planning Commission (the “Planning Commission”) shall prepare and recommend to the county’s legislative body, following a public hearing, a proposed land use ordinance, or amendments thereto, that represent the Planning Commission’s recommendations; and

**Whereas**, the Planning Commission caused notice of a public hearing for the rezone to be advertised at least ten (10) days before the date of the public hearing on the Utah Public Notice Website and on the Cache County website as required under County Code Section 17.02.070: Notice for Public Meetings; and

**Whereas**, on August 4, 2022, the Planning Commission held a public hearing, accepted all comments, and recommended the approval of the proposed amendments to the County Council for final action; and

**Whereas**, the Act also provides certain procedures for the county legislative body to adopt or reject amendments to the land use ordinance; and

**Whereas**, following proper notice, the County Council held a public hearing on September 27, 2022, to consider any comments regarding the proposed amendments. The County Council accepted all comments; and

**Now, therefore**, the County Legislative Body of Cache County ordains as follows:

**1. Statutory Authority**

The statutory authority for acting on this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3, and 17-53 part 2(1953, as amended to date).

**2. Amendment to Title 17 Land Use Regulations**

Amendments including but not limited to Use Type 4100 ‘Recreational Facility’ in Section

17.07.030, definition of ‘Campground’ 17.07.040 to become Use Type 4110 ‘Campground’, and Section 17.09.030 ‘Schedule of Uses by Zoning District’, are to read as follows:

**17.07.030: Use Related Definitions**

4100 - RECREATIONAL FACILITY: A place, either indoor or outdoor, designed and equipped for the conduct of sports and leisure time activities that is operated as a business and/or open to the general public. A recreational facility is operated for a period of greater than thirty (30) days per year and may also include incidental transient lodging accommodations for up to fifteen (15) rooms. For the purposes of a recreational facility only, "room" is defined as a self-contained area within a structure that has a maximum of two (2) sleeping areas, one bathroom, and no provision for cooking. A room provides sleeping accommodations for the general public utilizing the associated recreational facility. All rooms associated with a recreational facility must be contained within a single structure, and access to rooms must be primarily from interior lobbies or halls. A central kitchen and dining room catering to guests and the general public can be provided within the same structure. ~~The term recreational facility includes, but is not limited to, the following: ski facility, and golf course, and campground. A Recreation Facility does not include Use Type 4110 – Campground.~~

**17.07.040: General Definitions**

~~CAMPGROUND: Any area with 2 or more campsites in the FR40 or RR zones that are improved for occupancy by transients using recreational vehicles, motor homes, mobile trailers, or tents for dwelling, lodging, or sleeping purposes with a duration of state for a period of 30 days or less.~~

**17.07.030: Use Related Definitions**

4110 – Campground: Any area with 2 or more campsites in the FR40 or RR zones that are improved for occupancy by transients using recreational vehicles, motor homes, mobile trailers, or tents for dwelling, lodging, or sleeping purposes with a duration of state for a period of 30 days or less. Water and sewage facilities shall comply with State requirements (see § 17-10.040.3.a.).

**17.09.030: Schedule of Uses by Zoning District**

Index	Description	Base Zone							Overlay Zone	
		RU2	RU5	A10	FR40	RR	C	I	ME	PI
4000	Cultural, Entertainment, and Recreation									
4100	Recreation facility	N	N	C	C	C	C	N	N	-
<u>4110</u>	<u>Campground</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>-</u>

**3. Amends and Supersedes**

This ordinance amends and supersedes Chapter 7 and Chapter 9 of Title 17 of the Cache County Code, and supersedes all other prior ordinances, resolutions, policies, and actions of the County Legislative Body of Cache County to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

**4. Effect**

The ordinance amendments will take effect no sooner than 15 days from the date of approval. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

**Approved and Adopted** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

	In Favor	Against	Abstained	Absent
Borup				
Erickson				
Gunnell				
Tidwell				
Ward				
Worthen				
Zilles				
Total				

Cache County Council:

Attest:

\_\_\_\_\_  
Barbara Tidwell, Chair  
Cache County Council

\_\_\_\_\_  
Jess Bradfield  
Cache County Clerk

Publication Date: \_\_\_\_\_, 2022

**CACHE COUNTY  
ORDINANCE 2022-32**

**AN ORDINANCE MAKING A COST OF LIVING ADJUSTMENT TO THE  
SALARIES OF THE CACHE COUNTY ELECTED OFFICERS AND  
MEMBERS OF THE CACHE COUNTY COUNCIL**

WHEREAS, the Cache County Council, upon lawful notice and in accordance with Utah Code section 17-16-14, held on September 23, 2022, a public hearing on proposed salary increases for second half of 2022 for Cache County officers and members of the Cache County Council; and

WHEREAS, the Organic Act for the Government of Cache County, Utah, as approved on November 6, 1984, and amended from time to time thereafter, authorizes the modification of salaries for all elected county officers by ordinance;

NOW THEREFORE, the County Legislative Body of Cache County ordains as follows:

**SECTION 1:**

Section 2.28.010 of the Cache County Code is amended to read in full as follows:

**2.28.010: County Council**

The annual salaries for members of the Cache County Council, which shall be effective as of July 3, 2022, shall be as follows:

Council Member	\$17,280.00
Council Chair	\$21,600.00 (calculated by multiplying the salary for a regular council member by 1.25) together with a \$100.00/month vehicle stipend

**SECTION 2:**

Section 2.28.030 of the Cache County Code is amended to read in full as follows:

**2.28.030: County Officers**

A. The annual salaries for County officers, which shall be effective as of July 3, 2022, shall be as follows:

County Executive/Surveyor	\$130,225.00
County Assessor	\$116,075.00
County Attorney	\$158,185.00
County Clerk/Auditor	\$105,806.00
County Recorder	\$100,483.00
County Sheriff	\$122,732.00
County Treasurer	\$100,505.00

B. The County Council, consistent with subsection 2.12.120C of this title, may adjust the foregoing County officer salaries from full time salaries to part time salaries, or from part time salaries to full time salaries as the Council in its discretion may deem appropriate. This includes adjustments to existing salaries made at any time during the current or subsequent pay periods within the current term of office, consistent with subsection 2.12.120C2 of this title; and it applies to adjustments to future salaries for pay periods during a term of office after the current term of office, consistent with subsection 2.12.120C3 of this title.

C. A County officer will be paid a part time salary if the County officer gives notice that he or she chooses to work, or the County Council finds that the County Officer in fact works, less than thirty (30) hours per week, in which case the part time salary will be an hourly wage based upon the prorated amount of the full time salary and the County officer may not receive other compensatory benefits unless approved by the County Council.

**SECTION 3: REPEALER**

The salary provisions of all prior ordinances or resolutions, or any parts thereof, in conflict with the above Cache County Code amendments are hereby repealed and superseded to the extent of such conflict. Otherwise such resolutions and ordinances remain in full force and effect.

**SECTION 4: EFFECTIVE DATE**

This ordinance takes effect 15 days following its approval by the County Council.

APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH, THIS 27TH DAY OF SEPTEMBER 2022.

	<b>In Favor</b>	<b>Against</b>	<b>Abstained</b>	<b>Absent</b>
Paul R. Borup				
David Erickson				
Nolan P. Gunnell				
Barbara Tidwell				
Karl Ward				
Gina Worthen				
Gordon Zilles				
<b>TOTAL:</b>				

CACHE COUNTY COUNCIL:

ATTEST:

\_\_\_\_\_  
Barbara Y. Tidwell, Chair

\_\_\_\_\_  
Jess W. Bradfield, Cache County Clerk

ACTION OF COUNTY EXECUTIVE:

\_\_\_\_ Approved  
 \_\_\_\_ Disapproved (Written statement of objection attached)

\_\_\_\_\_  
David N. Zook, Cache County Executive

\_\_\_\_\_  
Date